

#17/Request
Recons.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1-16-01

L. Spruell

In re the Application of

Toshiaki HASHIZUME et al.

Application No.: 09/214,519

Filed: January 7, 1999

For: OPTICAL MODULATION ELEMENT
AND PROJECTION DISPLAY DEVICE



Group Art Unit: 2858

Examiner: E. LeRoux

Docket No.: 101850

REQUEST FOR RECONSIDERATION

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

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The following remarks are in response to the Office Action dated September 8, 2000, and further in view of the December 7 personal interview. Claims 1-19 are pending.

Applicants gratefully acknowledge the courtesies extended to Applicants' representative during the December 7 interview. During the interview, it was agreed that the claimed invention distinguishes over the applied references, as further set forth below.

The Office Action objects to the drawings under 37 C.F.R. §1.83(a). This objection is respectfully traversed.

Applicants submit that a partition is shown in the drawings in at least Fig. 8. The Examiner's attention is directed to partition 983, for example. Accordingly, Applicants request withdrawal of the objection to the drawings under 37 C.F.R. §1.83(a).

The Office Action rejects claim 8 under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

Claim 8 recites a transparent plate being made of the substrate material used in making the substrates. Such language, given its ordinary English-language meaning is clear, i.e., the transparent plate and the substrates are made using the substrate material.

Further, as set forth in the MPEP, breath of a claim is not to be equated with indefiniteness. If the scope of the subject matter embraced by the claim is clear, and if Applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claim, then the claims comply with 35 U.S.C. §112, second paragraph. The Examiner's attention is respectfully directed to MPEP 2173.04.

Accordingly, claim 8, which recites a transparent plate being made of the substrate material used in making the substrates, is not indefinite. Applicants request withdrawal of the rejection of claim 8 under 35 U.S.C. §112, second paragraph.

The Office Action rejects claims 1, 2, 4 and 6-9 under 35 U.S.C. §102(b) over Yamada (U.S. Patent No. 5,508,834). This rejection is respectfully traversed.

As agreed during the personal interview, Yamada does not disclose or suggest an optical modulation device, and a transparent plate formed on at least one surface of the optical modulation device, as recited in amended claim 1. See Interview Summary, for example. That is, as agreed during the personal interview, the liquid crystal 5 of Yamada is not an optical modulation device, and does not even comprise a surface wherein a transparent plate is formed thereon.

Furthermore, as agreed during the personal interview, Yamada does not disclose or even suggest a transparent plate formed on an optical modulation device. Accordingly, claim 1 is not anticipated by Yamada. Because claims 2, 4 and 6-9 depend from claim 1, claims 2, 4 and 6-9 also are not anticipated by Yamada.

The Office Action rejects claims 14-16 under 35 U.S.C. §102(b) over Williams. This rejection is respectfully traversed.

Applicants submit that Williams does not disclose or suggest a projection unit that magnifies and projects the light flux modulated by a plurality of optical modulation devices, and a partition that surrounds the plurality of optical modularization devices and a prism via an air layer and thereby separates the plurality of optical modulation devices and prism from the light source and the projection unit, as recited in amended claim 14. In fact, in Williams, there is no partition that separates any optical modulation element or prism from a light source in the projection unit.

As seen in Williams, the projector is the entire apparatus, and is not and cannot be separated from any other components within the projector. Furthermore, in Williams, there is no plurality of modulation devices and prism surrounded by a partition.

Accordingly, claim 14 is not anticipated by Williams. Because claims 15 and 16 depend from claim 14, claims 15 and 16 also are not anticipated by Williams.

The Office Action rejects claim 5 under 35 U.S.C. §103(a) over Yamada and Hashizume (U.S. Patent No. 5,865,521). This rejection is respectfully traversed.

As discussed above and as agreed during the personal interview, Yamada does not disclose or suggest the features of claim 4.

Moreover, Hashizume does not disclose or suggest the features of claim 4 missing from Yamada. In fact, Hashizume also does not disclose or suggest a transparent plate formed on a surface of an optical modulation device. Thus, even combined, Yamada and Hashizume do not disclose or suggest the features of claim 4. Because claim 5 depends from claim 4, claim 5 would not have been obvious over Yamada and Hashizume.

The Office Action rejects claims 3 and 10 under 35 U.S.C. §103(a) over Yamada and Yamazaki (U.S. Patent No. 5,212,573). This rejection is respectfully traversed.

As discussed above and as agreed during the personal interview, Yamada does not disclose or suggest the features of claims 1 and 4. Further, Yamazaki does not disclose or suggest these features of claims 1 and 4 missing from Yamada. In fact, Yamazaki does not disclose or suggest any transparent plates. Accordingly, even if combined, Yamada and Yamazaki do not disclose or suggest the features of claims 1 and 4. Because claim 3 depends from claim 1 and claim 10 depends from claim 4, claims 3 and 16 would not have been obvious over Yamada and Yamazaki.

The Office Action rejects claims 11-13 under 35 U.S.C. §103(a) over Yamada and Fujimori (U.S. Patent No. 5,868,485). This rejection is respectfully traversed.

As discussed above and as agreed during the personal interview, Yamada does not disclose or suggest the features of claim 4. Further, Fujimori does not disclose or suggest the features of claim 4 missing from Yamada. In fact, Fujimori does not disclose or suggest any transparent plate formed on a surface of an optical modulation device. Thus, even if combined, Yamada and Fujimori do not disclose or suggest the features of claim 4. Because claims 11-13 depend from claim 4, claims 11-13 would not have been obvious over Yamada and Fujimori.

The Office Action rejects claim 17 under 35 U.S.C. §103(a) over Williams and Yamazaki. This rejection is respectfully traversed.

As discussed above, Williams does not disclose or suggest the features of claim 14. Moreover, Yamazaki does not disclose or suggest the feature of claim 14 missing from Williams. In fact, Yamazaki does not disclose or suggest any partition. Thus, even if combined, Williams and Yamazaki do not disclose or suggest the features of claim 14.

Because claim 17 depends from claim 14, claim 17 would not have obvious over Williams and Yamazaki.

The Office Action rejects claims 18 and 19 under 35 U.S.C. §103(a) over Yamada and Williams. This rejection is respectfully traversed.

Applicants submit that Yamada does not disclose or suggest a transparent plate formed on a light emitting surface of the optical modulation device, as recited in amended claim 18. As discussed above and as agreed during the personal interview, the liquid crystal 5 is not an optical modulation device, and does not even comprise a surface wherein a transparent plate is formed thereon.

Moreover, Williams does not disclose or suggest the feature of claim 18 missing from Yamada. In fact, Williams does not disclose or suggest any transparent plate formed on a light emitting surface of an optical modulation device. Thus, even if combined, Yamada and Williams do not disclose or suggest the features of claim 18.

Yamada also does not disclose or suggest an optical modulation device, and a partition that surrounds the optical modulation device, as recited in amended claim 19.

Moreover, Williams does not disclose or suggest the feature of claim 19 missing from Yamada. As discussed above, Williams does not disclose or suggest any partition. Thus, even if combined, Yamada and Williams do not disclose or suggest the features of claim 19.

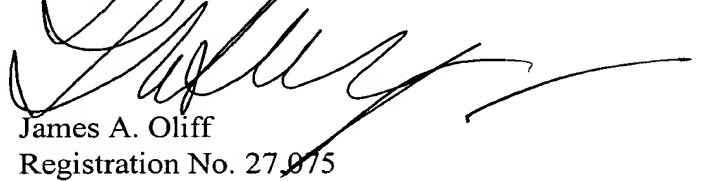
For at least the above reasons, Applicants submit that claims 1, 2, 4 and 6-9 are not anticipated by Yamada, claims 14-16 are not anticipated by Williams, claim 5 would not have been obvious over Yamada, claims 3 and 10 would not have been obvious over Yamada and Yamazaki, claims 11-13 would not have been obvious over Yamada and Fujimori, claim 17 would not have been obvious over Williams and Yamazaki, and claims 18 and 19 would not have been obvious over Yamada and Williams. Accordingly, Applicants request withdrawal

of the rejections of claims 1, 2, 4, 6-9 and 14-16 under 35 U.S.C. §102 and the rejection of claims 3, 5, 10-13 and 17-19 under 35 U.S.C. §103.

Applicants submit that the application is in condition for allowance. Prompt consideration and due allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this Application in even better condition for allowance, the Examiner is invited to contact the Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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